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**From:** Nassif, Julianne (DPH)  
**Sent:** Wednesday, June 02, 2010 5:49 PM  
**To:** Grossman, John (EPS)  
**Subject:** RE: Future PSN Overtime Funding

It is definitely down due to changes in the marijuana law and transfer of Middlesex to MSP but the turnaround time is still quite long due to court prep & testimony.

I am not going to be able to get those additional figures for you this evening as I am unable to access the Drug Lab application (I had a virus which required my workstation to be reimaged. Obviously, I didn't test everything out properly since I can't get into the program).

Everyone else has gone for the day. I am offsite tomorrow at an emergency preparedness exercise but if these are figures that you need – I can have Elisabeth O'Brien get them for you in the morning. Julie

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**From:** Grossman, John (EPS)  
**Sent:** Wednesday, June 02, 2010 5:40 PM  
**To:** Nassif, Julianne (DPH)  
**Subject:** RE: Future PSN Overtime Funding

This is great. Any sense as to whether your volume is up or down this year?

John A. Grossman  
Undersecretary of Forensic Science and Technology  
Executive Office of Public Safety and Security  
Commonwealth of Massachusetts  
(617) 274-5512

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**From:** Nassif, Julianne (DPH)  
**Sent:** Wednesday, June 02, 2010 5:36 PM  
**To:** Grossman, John (EPS)  
**Subject:** FW: Future PSN Overtime Funding

Hi John,  
I am forwarding an email that I sent to Martha Wyatt at US Attys. Last week which shows the number of samples(items), backlog and turnaround time. I can get this by cases but it will take a little time. Julie

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**From:** Nassif, Julianne (DPH)  
**Sent:** Wednesday, May 26, 2010 11:09 AM  
**To:** 'Wyatt, Martha (USAMA)'  
**Subject:** RE: Future PSN Overtime Funding

Hi Martha,

The answers to your questions are listed below.

|       | Samples received | Samples analyzed |
|-------|------------------|------------------|
| 2007  | 44122            | 42583            |
| 2008  | 36531            | 34791            |
| 2009* | 24970            | 26236            |

- Important legal changes occurred in 2009. Effective January 2009 Massachusetts decriminalized possession of small quantities of marijuana. In response, the laboratory no longer accepts non-criminal marijuana evidence and returned all pending non-criminal samples to the submitting police departments untested. In June 2009, the US Supreme Court ruled in the case of *Melendez-Diaz v. Commonwealth*, that considering drug certificates *prima facie* evidence violated the defendant's right to confrontation under the 6<sup>th</sup> Amendment. As a consequence, laboratory analysts are routinely required to provide discovery packages and direct oral testimony at trial.
- Current turnaround time is 180 days
- Current backlog is 9108 samples
- Approximate number of samples analyzed with PSN funding last year – 550.

Please contact me if you need any additional information, 617.983.6651.

Thanks you for your continuing support, Julie

PS – Do you have any sense of the time frame for this award? I ask because we may be able to extend the current Interagency Service Agreement (ISA) with Public Safety to streamline the administrative process.

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**From:** Wyatt, Martha (USAMA) [<mailto:Martha.Wyatt@usdoj.gov>]  
**Sent:** Thursday, May 20, 2010 12:26 PM  
**To:** Nassif, Julianne (DPH)  
**Subject:** Future PSN Overtime Funding

Hi Julianne:

We are hoping to continue the overtime funding for cocaine base testing. Can you supply the following statistics for our grant application?

- Number of specimens received for testing by your Department in 2007, 2008, and/or 2009
- Current number of evidence officers, analysts and supervisors
- How many specimens are backlogged at the current time (approximately)
- Turnaround time for backlogged specimens

Please call me if any questions. Thank you for your help.

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